Esterhazy.

REPORT IS CONSIDERED A WHITEWASH

Court Martial Seems to Be a Cut and Dried Affair.

MAJOR'S ANSWERS OF READY-MADE ORDER

Serious Indictment Against Colonel Picquart.

HIS ARREST IS EXPECTED TO FCLLOW

Court Causes a Good Deal of Displeasure by Deciding to Close the Doors While Important Witnesses Testify.

PARIS, Jan. 10.-The trial by court-Esterhazy, the retired officer of the French | nial. army who came into prominence in the latter part of November last through the publicathe count is alleged to have admitted this morning under the presidency of General | ment outburst said:

Among those who were present were going imprisonment for life after having and a traitor." been convicted of selling important French military plans to agents of a foreign power from the audience. with which Esterhazy is said to have been try the case in its present shape only means | tion. asking the court to confirm the guilt of Dreyfus) and many officers and deputies. Count Esterbazy appeared in uniform and

€scorted by republican guards. The clerk of the court said the courtmartial was held in order to end the contradictory rumors which had been spread by the excited public. Thereupon Maltre Laborie, counsel for Mme. Dreyfus, asked percounsel for Matthieu Dreyfus, brother of the beasts. captive of Devils island, also asked permission to appear during the proceedings. The court rejected both applications and the taking of testimony commenced. WHITEWASH FOR ESTERHAZY

Counsel for the government said that a public trial might be inimical to the interests of the national defense and demanded a secret hearing. The court decided by a majority of five to

two that the trial should be public until the moment when publicity might appear to prejudice the national defense. opinion, the report of the investigation offi-

Colonel Picquart, according to the Intran-

sentenced to thirty days detention in a fortress. He was an officer summoned from the United States to Paris in connection with the Dreyfus affair and his statements were reported to be the basis of the accusations long stream with room for upwards of 100 department has taken the case under advisebrought against Count Esterhazy.

The report of Major Ravarry does not adduce much evidence except the declaration was not written by Count Esterhazy. It connious imputations" made by Colonel Picquart who, it appears, without authority, caused him to be shadowed. The report observes that the colonel is the soul of the present agitation and that he is guilty of serious majority of miners. shortcomings and indiscriminations.

Upon one occasion, it is pointed out, when his superiors urged him not to persist, he exclaimed: "Oh, they won't do anything up there, but I will compel them to act."

EXAMINES SECRET DOCUMENT, The report continues with the statement while examining secret documents belonging to the general staff, and concludes:

"Every step taken in this sad affair, which causes such anguish to all really French hearts, is intended to obtain a reversal of a judgment legally and justly pronounced. No tangible judicial proof of Major Esterhazy's to the letter published last March by the guilt is forthcoming, nor is there adequate evidence to support the charge of high treason.

The court then adjourned until 2 o'clock. When the trial was resumed, Major Esterhazy testified that he became aware of the plot against him through anonymous letters, which led to his meeting an unknown veiled woman. He had communicated the results of that meeting to General Billot, the minister of war, and President Faure.

The judge put a series of easy questions to Major Esterhazy, to which the latter abrogated. evidently had ready-made answers. The major ended by following Major Ravarry's cue, and accused Colonel Picquart of burglar. At the close of the chief provincial marshal's izing his residence and stealing letters.

Matthieu Dreyfus was then examined. He was asked to state the basis of his accusation against Major Esterhazy, and replied that, without being an expert, it was only necessary to compare the writing in the Horderau and Major Esterhazy's handwrit- Large numbers of Glasgow engineers applied ing in order to be convinced that they were today for reinstatement, while a meeting of identical. Continuing, M. Dreyfus made a the engineers of Fairfield decided to continue learned graphological statement. Moreover, work in spite of their previous threats to he pointed to the fact that Major Esterhazy | leave work when the first 25 per cent of their having subsequently tried to modify his number was locked out. handwriting gave confirmation of his sus-

ESTERHAZY'S SERIOUS PLIGHT. In reviewing other suspicious actions of the major M. Dreyfus quoted a letter in which Major Esterhazy said: "I am in such a plight that I can only recover myself by cvime." "This," said M. Dreyfus, dramatically, "was written by an officer who has the honor to wear the uniform of a French officer." Here "Oha" were heard among the

Counsel for Major Esterhazy thereupon asked M. Dreyfus who was paying the "enormous costs of circulating pamphlets respecting Major Esterhazy." To which M. Dreyfus replied:

"That is my business, not yours." This remark caused excitement among those present and brought forth shouts of

"Miserable." M. Scheurer-Kestner, one of the vice presi-

that when he was condemned he believed that when he was condemned he believed ASKS FOR LARGE INDEMNITY until Matthieu Dreyfus came and implored his aid. Then the senator made a personal Investigating Officer Exonerates Major both military and civil tribunals may make mistokes." "Matthieu learned," continued M. Scheurer-Kestner, "that an opinion had been expressed at the ministry for war that the Borderau was written by Major Ester-

bazy. The senator further remarked: "I learned that a distinguished officer, head of the intelligence department, had been sent away and letters were shown me confidentially proving that General Dengke was of the same opinion as Colonel Picquart."

NOT SURE OF HANDWRITING. M. Scheurer-Kestner reviewed his communications with Colonel Picquart, the minis- Dr. Cornelius Herz, today appeared before ter of wur, with a view of reopening the affair, and concluded by saying: "I cannot say and presented a claim for indemnity in the the Borderau was written by Esterhazy, but I affirm that the writing has a greater re- ment for an alleged illegal attempt to persemblance to Major Esterhazy's than to that of Dreyfus."

A house owner of Auteil testified that the mistress of Esterhozy asked him to cancel a losse signed by Esterhazy, as the latter had name stands very high in scientific circles said he was dishonored, intended to commit as an electrician and physicist, although trade in China gives us a special claim to suicide, and feared the police would seal up

his chamber. At this point Major Esterhazy denied having uttered the words attributed to him and

then crose. This missive, which was ad- this out by courses in Heidelberg and other tion by Figaro of a number of letters which dressed to a friend named Weit, found its great European universities. way in the possession of the friends of Dreywriting reflecting in strong terms on France fus. Welt denied he gave it to the friends United States army. and the French army, was opened at 9 o'clock of the convict. Major Esterhazy to a vehe-

"Of all the infamles of which I am the Mme. Dreyfus, wife of Albert Dreyfus, former I rendered him services of which I will not responsibility and honor in San Francisco captain of the French artillery, now under- state the nature here. I am not a coward said New York.

The major's remarks brought forth cheers

Colonel Picquart was the next witness and connected; the brother of the condemed cap- the court, after a tosty deliberation, decided recener of one of the largest of the great electain, Matthieu Dreyfus, Senor Traireux, the to take his testimony behind closed doors. former minister of justice (who, last week | The court was then cleared. This decision wrote a letter asking for the postponement to conceal the evidence of the most important of the court-martial on the ground that to witness of the trial caused much dissatisfac-

The general impression is that the day's proceedings have revealed the utter hallowness of the Dreyfusians' charges against mission to take part in the arguments. The two men glared at each other like wild pear at the Bow street police court.

trouble.

New Territory. The court having thus yielded to public conditions and present necessities of the all of the property of himself and wife. camp. Meat, he says, is now a drug and Dr. Herz alleges this was persecution, pure cer, Major Ravarry, was read. It completely worth but 30 to 40 cen's, chiefly because and simple, and that the French government na many as forty-five.

Hunker creek, emptying into the Klondike Last Chance and several other auriferous creeks are proving as good as Eldonido, while or more trails, while there are quite as many on the newly prospected tributaries, including Last Chance and Gold Kettle. The pay of the experts that the famous Borderau note dirt of the Hunker and the tributaries is said to average \$10 to the pub, while claim No 6, below Discovery, is reported to have turned out one record pan of \$104. Sulphur creek has not yet shown any sensational runs. but it is announced runs \$15 to the pan and is not to be looked upon with disdain by the

> INSURGENTS BESIEGE A SEAPORT. Spanish Hurry Troops Resene.

HAVANA, Jan. 10 .- The insurgents are b sleging and have attacked the port of Mayari on the north coast of the province of Santiago that Colonel Picquart, in 1896, was surprised | de Cuba. Troops have left Gibarra, the northern portion of the same province, to relieve

the garrison of Mayari. Vaughan Publishes a Rejoinder. LONDON, Jan. 10-Cardinal Vaughan, archbishop of Westminster and the bishop of the diocese, published today a 122-page rejoinder on the subject of the Anglican orders. The reolnder, which is signed by sixteen Roman pope's competency to decide this question is to strike at the sacramental system.

Return to Civil Law. PRAGUE, Jan. 10.--Marial law, which was proclaimed here on December 2 as a result of the riotous demonstrations which followed

the disturbances in the Reichsrath," was The Bohemian Diet reassembled today Police guarded the approaches to the house

opening address the members heartily cheered the emperor. End of the Strike Approaching. LONDON, Jan. 10 .- There are signs that the end of the great strike in the engineering trades in Great Britain is approaching

Sails with Its Cargo on Fire. ST, JOHNS, N. F., Jan. 10 .- The steamer Lamberts Point, Captain Humphreys, which has been lying here some days with its cotton cargo on fire, sailed for Liverpool today with the deckload of cotton still afire The crew refused to sail until compelled by the police. If the fire becomes serious

it is intended to jettlson the cotton. Russian Embassy is Threatened LONDON, Jan 10 .- According to a special ispatch from Constantinople the Russian embassy there has been threatened with bomb outrages "unless Russia withdraws its opposition to the amelioration of the condition of the Armenians."

Will Get an American Wife. LONDON, Jan. 10.—A marvlage has been arranged between Hon. Rowland Charles Frederick Leigh, youngest son of Baron Leigh, and Miss Mabel Gordon, daughter of Colonel E. R. Bliss, a leading republican, for dents of the senate, was examined. He said W. W. Gordon, of Savannah,

inquiry, "because it must be admitted that Dr. Cornelius Herz Wants Five Million Dollars from France.

> FILES HIS BRIEF IN STATE DEPARTMENT Says He Was Detained Under Arrest

by French Orders, for Four Years, Although an Amerienn Citizen.

WASHINGTON, Jan. 10 .- Messrs, Dittenhofer, Lauterbach & Limberger, counsel for Solicitor Penfield at the State department sum of \$5,000,000 against the French governsecute Dr. Herz. The case is remarkable in many ways and it is said at the department

is without a precedent. The facts in brief are that Dr. Herz, whose born in France of French parents, is an American citizen. When he was about three years of age his parents came to New York and acquired American citizenship. Young martial of Major Count Ferdinand Walsin | Mme. Pais, his mistress, made a similar de- | Herz was educated in the New York Free academy, now the College of the City of New The question of a letter affecting the major York, and received two degrees. He rounded

At the age of 16 he was a lieutenant in the

In 1871 he was charged by the municipal authorities of Chicago with a mission in connection with the reconstruction of the city victim, Weit's treason gives the most pain, after the fire. He afterwards held posts of

Meanwhile his fame as an electrician had been spread and he did much to extend the study of this branch of science, besides establishing, as his brief alleges, the foretrical corporations now in existence in this country. He married an American woman and when his children were born in Paris he caused them to be registered as American citizens at the consulate.

CHARGED WITH EMBEZZLEMENT. Jonuary 19, 1893, his troubles began. He was stopping at Bournemouth, England, with Comte Esterhazy and the flimsiness of the his wife in bad health, when he was arrested reassns for their belief in the innocence of under extradition proceedings on a warrant Dreyfus. The evidence of Matthieu Dreyfus from the French government, charging him was exceedingly weak. There was a sensa- with fraud and embezzlement growing out of tion in court when he declared Comte Ester- the Panama canal soundal. Urder the law hazy "a diegrace to his profession." The a prisoner wanted for extradition must ap-

Herz was confined to his bed and was un M. Clemenceau, in Aurore and other pa- able to appear. The case was kept open and pers, will protest tomorrow against the scan- he was continued under arrest in his bed four dat of closing the doors on Colonel Picquart's years, during 1893, 1894, 1895 and 1896. Then evidence. It is believed he knows the whole the British Parliament came to his relief and case and that he is not unlikely to get into passed a special act that permitted the magistrate to attend Herz's bedside and take his DISCOVERING MANY NEW CLAIMS. testimony. This was done and the magistrate promptly declared the charges were ut-Prospectors in Alaska Drifting Into terly invalid and scarcely deserving of notice. Given Out Through Official Channels That was on May 2, 1896, and Hecz was VICTORIA, B. C., Jan. 10 .- Richard Mor- released from arrest. Meanwhile the French gan, just from Dawson, throws new light on government had instituted numerous proceedthe food situation there and also on the ings against him in France and confiscated of what appears to have been a gallant de-

knew the charges against him were baseless manded the sum of \$5,000,000 in a letter he its gold approaches the Bonanza creek sent to the president of the French republic,

SUPPLY OF POWDER IS VERY SHORT

Only Enough to Last Big . Few Minutes. CHICAGO, Jan. 10 .- A special from Washties, nearly a year to produce enough pow- kept it up until dark. der to supply the ships for another ten cost of supplying this powder could be greatly reduced. Ordinary powder, it must be understood, will not do for high-power had thirty-three wounded. guns. There is plenty of this and plenty anglican archbishop of Canterbury and York, of fine blasting powder in the country, but very little rifle cannon powder. This last is made by only two factories in the Catholic prelates, maintains that to deny the | United States, one in Delaware and one in California, both of them of very limited capacity. Hence the importance of having in store enough to meet all possible demands of war until more could be offered.

NEW DISCOVERIES IN KLONDIKE Mother Lode Belleved to Have Been

SEATTLE, Wash., Jan. 10 .- W. J. Jones of Port Townsend, Wash., who arrived from Alaska on the City of Topeka today, brings news of the discovery of what is supposed to be the mother lode and quartz origin of the placers of the Klondike district. The discovery was made within four hours at four different points, one of them at Dome, a high mountain to the east of the source of and partner; the third one in Nugget Gulch, William Terriss, the actor, on December 16. at No. 36, and the fourth somewhere in the twenties on Bonanza creek.

The trend of the vein is northwest by west, westerly from the Dome. It is found at about thirty feet below the surface and under the muck and alluvia Ideposit. The ledge is about eighteen inches wide and maintains a uniform width. It is gener-

ously sprinkled with free gold. Mr. Jones brings down samples of the ore and everyone who has seen them say the rock is precisely the same in character as is found in the Comet mine in Benera Way southeastern Alaska. Mr. Jones said that old timers in the Klondike had made a der the muck and alluvial deposit. The

Investigating Chicago Police. CHICAGO, Jan. committee appointed by the state senate to investigate the workings of the Chicago police department met today. As an outne of charges which have been made Adolph Kraus, president of the Civil Service commission, who is a prominent democrat, entered suit today against Attorney \$50,000 damages,

Speaks of Chinese Affairs Without De-

LONDON, Jan. 10. -Right Hon. Arthur J ernment leader in the House of Commons addresced his constituents at Manchester this evening. It was expected that he would make an importat announcement of the goverament pelley in Caina, but he confined

fining His Policy.

himself to generalities. Mr. Balfour said the concert of Europe had not added to its reputation by its recent treatment of Crete. He declared that it would be better to have a third rate governor of the island than none at all. It was strange the concert could not find one either in Europe or America.

He eulogized the bravery displayed by the British troops in the India campaign, a campaign "more difficult than the Afghan war in 1879." Turning to China be said British interests there were commercial and not territorial. Except as a base for possible war-

like operations, the territory would be a dis. advantage, because it would involve responcibility and expense in money and men. He dilated upon the fact that the extent of our prevent its pursuing a policy that would discourage trade, and added: "But the deepest traditions of our policy

preclude us from using our trading privilege as a weapon to exclude our rivals. If we ask freedom of trade it is not alone for England, but the whole world."

There was no objection, said Mr. Balfour in conclusion, to Russia having an ice-free port provided England was not excluded, but the government would do its utmost to prevent China yielding to foreign pressure to making regulations adverse to Great Britain "or any improbable but possible attempt to dot the coast of China with foreign stations by protectionist countries who would raise custom or other barriers to our trade." The burder of the whole declaration was that England's polley in China is for the becefit of the world at large.

The morning papers, in editorials of all shades of political opinion, express great satisfaction at Mr. Balfour's expression of opinions guiding the government's policy in the far east, but they complain of the absence of definite statements.

The Morning Post eays: "A great minister on a great occasion has only whetted the appetite of a people ready to give him a large and generous vote of confidence."

The Dally News says Mr. Balfour's exposition of Lord Sallsburyls policy is excellent in actention, and the only fear is that the execution may fall short of the intention. With reference to the New York Times' expression of regret that lack of appetite has succeeded to England's traditional earth hunger, the Daily News says: "Such regrets in an Amerinterests, which are identical with theirs, can in existence at the present time. be protected in China by other means than territorial gonexation."

REPORT OF A SPANISH VICTORY. at Havana.

HAVANA Jan. 10 - News from Sponish ish troops.

protecting the buildings of the central plan- came laws, and that it has not erally regarded as being a serious indict. pussed the district and have been slaughtered before the trial. Therefore, claiming to have tation of Ysabel, belonging to Beattle & Co., since that time. After this dissolution Hartment of Colonel Picquart, whose arrest, when by wholesale, one hunting party bringing in ing been injured in name and health, and in an English concern, at Media Luna, near man entered into an agreement with each other ways, he demands that the State de- Manzanillo, was attacked by a strong in- one of the companies to do the same work partment shall prefer a claim against the surgent force during the night of January 2. but it is emphatically denied that these comfifteen miles from Dawson, and Gold Bottom. French government. Although he names no The insurgents had with them, it is claimed, paules employ Hartman as an association. In special sum, the brief shows that he de- a rapid-fire cannon, which they placed in posi- is alleged that each one can and does fretion about 600 metres from the fort and be- quently refuse to accept the rates he fixes hind on embankment of earth. At the same without regard to what the others may do standard of fineness. The Hunker is a but which was never answered. The State time 200 insurgents captured the machinery although it is admitted that his rates are house of the plantation. The fort defending generally accepted. The point sought to be stories high and in the form of a cross. It by the compacies as an association, but as an was surrounded by wire fences and ditches individual and that therefore the companies and was garrisched by ninety-six soldiers, un- are no longer in a combine der the command of Captain Benedicto Manilo, who had two lieutenants under him. At Auditor Cornell, pretending to act in his ington says: Uncle Sam is short of powder 6 o'clock in the morning the insurgents began official capacity, contemplates summoning for his high power guns. After his war cannonading the Spanish fort, and at 2 o'clock the officials of the various companies before ships have fired away with the powder they in the afternoon they began an attack on it him for examination to discover whether have on board, which they would do in the from both sides of the river, trying to take they are violating the provisions of the course of a ten hours' battle, there would it by assault, but they were repulsed. At 3 acts and revoking their authority to do busibe left in the entire country barely enough o'clock in the afternoon the insurgents made ness in this state if found guilty. In view to supply them for a thirty-minute combat. a second attack on the fort and the Spaniards of the fact that such action would entail And it would take the powder mills of the again drove them back. Thereupon the in- much expense to them they have brought the United States, with their present facili- surgents resumed their artillery firing and present action to test the constitutionality of

hours' battle. Such is the substance of a Coptain Oriso in command of the local acts are contrary to the laws of the United report made to Secretary Long by the board guercilla force of Niquera and a detachment States, as they tend to impair the obligation of ordnance and fortifications, which has of Spanish infantry, and enforced by two of contracts. The companies say that they recommended the immediate building of a cannons. The Spaniards then attacked the began to do business in this state twenty government powder factory, by which the insurgents' earthworks and are said to have years ago in good faith and were given loss. The garrison lost seventeen killed and fees to the state every year and have built

> EXPECT A COMPLETE REPARATION. Great Things Hoped for from the Pope's Encyclical.

QUEBEC, Jan. 10.-Bishop Begin, acting cardinal, in his mandate to accompany the papal encyclical on the Manitoba school quea-

"We expect a complete reparation. dom and patriotism should inspire the legislators to put an end to the violent things which we are enduring. Let justice come from the government in Winnipeg, let it come from the federal government or let it come from the impecial government."

The mandament calls upon the protestants whom diversity of belief does not prevent from being brothers to Catholics, to give the latter a helping hand.

LONDON, Jan. 10 .- At the Old Bailey court today the recorder directed the grand jury the Eldorado creek, by Frank Slavin; the to return a true bill against Richard second at No. 31 Eldorado, by A. H. Jose Arthur Prince, the super who assassinated It is said at the home office that the experts agree that Prince is insane. In spite of this, his trial will commence Wednesday next under the lunatics act of 1883.

Duty Fixed by Weight. BERLIN, Jan. 10 .- The Madgeburg Zeltung asserts that the changes in the customs Posadowski, minister of the interior, fore petroleums, will be fixable by weight.

Laplanders Coming to New York. LONDON, Jan. 10 .- A dispatch from Copen hagen to the Daily Mail says: "A large expedition of Laplanders is about to start for New York from Copenhagen, Christiania and Tromsoe, to go to the Klondike in sledges with reindeer."

Jameson Not Coming to England. LONDON, Jun. 10.-It is understood that Dr. Jameson, the Transvast raider, will not

BALFOUR DEALS IN GENERALITIES. INSURANCE LAW UNDER FIRE

Balfour, first lord of the treasury and gov- Steps Taken to Declara Nebraska Statute Unconstitutional.

FOREIGN COMPANIES TAKE INITIATIVE

Bring an Action in the Federal Court to Restrain State Officials from Enforcing Recent Legislation.

The foreign fire insurance companies doing business in this state have determined to seize the bull by the horns by fighting the constitutionality of the two acts passed by the last legislature declaring insurance compacts illegal before an attempt is made by the state authorities to put the pro- 12, "The Tramp and Ada." visions into force. A case has been started in the federal court in which the constitutionality of these laws is directly attacked.

Judge Munger has issued a temporary or der enjoining the officials named from proceeding under the acts and has set the hearing of the case for January 18 at Lincoln. 10 a. m..... 27 The two acts which are thus assailed were both passed on April 25, 1897, and are known 12 m..... 29 as senate file No. 330 and senate file No. 2 The former is a general provision against rusts and conspiracies against trade and alleged that too much expense would be business and interests the fire insurance companies, as it defines one form of trust the county attorneys in Nebraska, and, thereas a combination to prevent competition in fore, County Attorney Baldrige was selected fire insurance. The other act is of direc as their representative. Interest to the companies, as it is a special law to prevent combinations between fire that the action was a surprise to him. insurance companies and provides penalties He said he had not contemplated bringing

therefor. The case is brought by the following for elgn companies: Niagara Falls of New York German-American of New York, Traders' of Chicago, National of Hartford, the Fire and HE ISSUED A WORTHLESS CHECK. Marine of Massachusetts and the Fire As ociation of Philadelphia. They profess to e acting in the interests of all other foreign companies who are doing business ic this state. The action is brought agains Auditor of Public Accounts John F. Cornell Attorney General Smyth and County At torney Baldrige, and is in the nature of an injunction to enjoin those officials from beginning any action to put the provisions of the acts into force.

None of these officials have as yet com menced any proceedings against the companies, but in their complaint the latter as sert that Auditor Cornell is contemplating such action. They also anticipate that the grounds for this proceeding are based on the supposition that there is in existence in thi city and state on insurance pool at the head of which is Christian Hortman, the local in ioin journal are piquant iodeed. But our gurance commissioner. The companies deny American friend need not be uneasy. Our however, that there is any such combination

EMPLOYED AS AN INDIVIDUAL. According to the petition the companies did some time ago form a combination for the purpose of equalizing insurance rates and placed Hartman at the head of it. He was employed because he was believed to know the value of property and risks in the state, sources just received here gives an account and because it was a matter of economy for the companies to thus employ one man in fense of a fort at Santiago de Cuba by Span- stead of each employing one. It is asserted however, that this combination was dissolved It seems that the principal fortifications before the acts passed by the legislature bethe latter consisted of a brick building two made is that Hartman is no longer employed

Continuing, the complaint alleges that the two acts.

During January 4 the fort was relieved by One of the main contentions is that the compelled the enemy to retice with severe authority to do so. They have paid the up a good business. They claim that it would be a violation of this contract entered into twenty years ago and they would sustain great damage if they were now debarred from doing business.

SAID TO DISCRIMINATE.

Senate file No. 330 is also declared uncon stitutional in that it makes a discrimination between fire insurance companies and labor organizations. That act declares that nothing in it shall be construed to prevent any assemblage of laboring men from passing regulations they think proper in reference to wages and the compensation of labor. This discrimination, it is alleged, invalidates the act.

Again it is alleged that senate file No. tends to revoke the companies' authority to do business in the state without judicial inquiry. The act gives the auditor of public accounts the right to revoke this authority. It is asserted that this is out of his province and should be properly placed in the hands of the department known as the judiciary under the constitution of the state. It is asserted that the provision that an appeal may be taken to the district court is void from the fact that the auditor is not a judicial body and that, therefore, the judicial department of the state can not take

cognizance of his decisions and acts. On these and other grounds it is asked for the court that the auditor be enjoined from regulations as to petroleum, which Count summoning any of the officials of the companies for examination, or from entertaining shadowed in the Reichstag, have already any complaints that they are violating the the Mahoning valley, was found dead in been made, and henceforth the duty, even provisions of the acts or from issuing any upon mixtures of Caucasian and American order revoking their authority to do business in the state. It is also asked that the attorney general and County Attorney Baldrige be enjoined from beginning any criminal prosecution against the companies for vio-

WHY THE ATTORNEYS COME IN. The attorney general is included amongst the defendants because he is given power by the statute to bring criminal prosecution. County Attorney Baldrige is picked out from all the county attorneys in the state. The attorney of any county in the state is authorreturn to England at present. He intends to | ized to bring action against the companies in become a candidate for the Cape Parliament. | the district court for the violations. It is York, for Hamburg.

THE BEE BULLETIN. HANGS BY ONE VOTE Weather Forecast for Nebraska-Rain or Snow; Easterly Winds

1. Count Esterhazy on Trial in Paris. Big Indemnity Demanded of France. Nebraska Insurance Law Assalled, Hanna is One Vote Shy.

2. Corbett Challenges Fite Again,

3. Populists Trying to A
All About Exposition
4. Editorial and Comm
5. Hawaiian Annexation
Decision in Capital
Echoes of the An

Bit of Holland in America

Condition of the Wenthers

Hour. Deg. 5 a. m..... 26

6 a. m..... 25

7 n. m..... 24

8 n. m..... 22

9 a. m..... 25

11 a. m..... 28

tending to do so.

gold.

rested.

in an hour.

6. Council Bluffs Logistature Town Legislature 7. General News of ers. 7. General News of S. Transmississip Reception to rther West. BALLOTING WILL BEGIN THIS AFTERNOON y Contest. n Officers.

Hour.

incurred by bringing proceedings against all

Attorney General Smyth yesterday stated

did not think that Auditor Cornell was in-

Broker Under Arrest Charged with

Swindling.

NEW YORK, Jan. 10.-W. F. Goerdes, a

member of the Consolidated Stock and Pe-

troleum exchange of this city, in in jail to-

night, charged with having attempted to

members of the Stock exchange, out of

Goerdes offered a certified check for \$18,-

112.50, signed by J. L. Rives and drawn

on the North Side bank of Brooklyn, in

payment for some stock he had bought. The

check was turned over to Mr. Hawley, who

observed that the cerification was without

On telephoning to the Noth Side bank

t was learned that Rives had no account

there. In the meantime Goerdes had gone

to Broker L. P. Mendham, only two doors

away, where he negotiated a loan of \$16,-

000 on the stock. Mendham gave Goerdes his

check for that amount, drawn on the West-

bank and had the check certified. Then he

fied and when Goerdes returned he was ar

Well While in Omaha.

-Governor Richards, State Engineer Mead

exposition could be consulted. The com-

getting ready for the exposition. While in

Omaha the committee was treated with the

COLLIDES WITH LOADED FLAT CAR.

Several Parties Are Injured and Prop

erty is Damaged.

MUNCIE, Ind., Jan. 10.—Passenger train

No. 46 on the Fort Wayne & Cincinnati di-

vision of the Lake Erie & Western collided

with a flat car loaded with steel bars tonight

just south of Muncie. The engine was badly

damaged, as was the mall our and the fol-

lowing were more or less injured by being

William Neff, Cowan, Ind.; 13b fractured.

D. M. Tuttle, Cowan; teeth knocked out.

Haonah Garrett, Cowan; leg sprained and

Pestal Clerk Kennedy, cut on head by fall-

being pinioned by a bar of steel that pene-

trated the cab. The freight car had been

left on the main truck by a belt switching

PRICE OF CANDLES IS REDUCED.

Cents Ench.

PORT TOWNSEND, Wash., Jan. 10 .- Nine

men from Dawson City arrived here today

bringing advices up to December 9. All say

that while provisions are scarce there will

be no starvation. Provisions can still be

purchased from \$1 to \$1.50 per pound. Can-

dles have been reduced from \$1.25 to 50 cents

each. The trip out was made without spe-

cial incident, dog teams being used. The

Movements of Ocean Vessels, Jan. 10.

At Gibraltar-Arrived-Kaiser Withelm II, rom New York.

from New York, At Hamburg-Arrived-Alesia, from Bal-

was 55 degrees below zero.

coldest weather reported at Dawson thus far

F. Farquhar, Muncie; back sprained.

utmost kindness and courtesy,

thrown from their seats:

eeth knocked out.

went to Zimmerman & Forshay's and asked

9. Men with Me itonor. Many Surprises Are Promised as the Vote Utah Hustling for Se Exposition, Bartley Locked in a Cell. Proceeds. 11. Commercial and Financial News.

Deg

1 p. m..... 31 2 p. m..... 33

3 p. m 33

4 p. m 3

5 p. m..... 34

6 p. m..... 34

7 p. m 34

9 p. m..... 34

LEADERS EXPECT NO ELECTION TODAY

Senatorial Situation in Chio Too Close for

Comfort.

REPUBLICANS LACK ONE OF A MAJORITY

Opposition is the Stronger, but is Not

United.

Senator Hanna's Friends Say They Will Have Seventy-Two Votes, Which is One Short of the Necessary Number.

COLUMBUS, O., Jan. 10 .- Senator Hanna is believed to be short tonight one vote of election. The opposition is not sure of seventy-three votes for any one man, as against only seventy-two for Hanna, but they feel confident at least of preventing

Hanna's election. Last night the democratic steering committee demanded of Mr. Kurtz that he furnish at least eight affidavits tonight from republican members that they would stand with the sixty-five democratic members in any proceedings against the companies and voting against Hanna. The democratic steering committee reported tonight that it was satisfied. Representative Gayman, chairman of the house democratic committee went so far as to say Hanna's defeat

tomorrow was assured. There is no doubt that Secator Hanna was beaten for a week previous to last Friday, when Representative Manuel of Montgomery county changed in his favor. On Saturday the Hanna men secured Represwindle the firm of William Haley & Co. sentative Griffith of Union, but they made no accessions yesterday and today and it is the general belief that they are short one

vote tonight. It has been agreed by a conference committee that the balloting in the two houses will not begin until 2 p. m. tomorrow and there may be several changes in that time. The real work of the fight on both sides is being done tonight. The workers will not

sleep now until after the balleting begins, There is a feeling among many of those opposing Hanna that if he is not defeated on the first ballot, or rather by the separate ballets temerrow, that he will not be defeated at all. These anti-Hanna workers say they had a majority of five against ern National bank. Goerdes went to the Hanna when they exposed their strength in organizing the legislature last Monday and if they come down to a majority of only one to have the check converted into Spanish against Hanna tomorrow that the coalition

may not hold together for another day. While the opposition still insists on Kurtz Goerdes said he would return for the gold as the candidate against Hanna, yet it says that Bushnell, Kurtz or any other one will He had hardly gone out of the door before Zimmerman & Forshay received word | be dropped as soon as it is demonstrated that he cannot secure all of the votes of that Goerdes uttered a worthless check either the anti-Hanna republicans or the The Wall street detective bureau was notidemocratic members. One of the name most prominently mentioned today was that of Representative John P, Jones, who represents Stark county, the home of President WYOMING COMMITTEE IS PLEASED. Members Sny They Were Trented prominent man in the miners' union. He is for free silver and is advocated as the labor CHEYENNE, Jan. 10 .- (Special Telegram.)

candidate against the capitalist. ENTERTAINED BY THE OPPOSITION.

and President Graves of the State university, sent as a committee to Omaha to secure While the mass convention of the repub licons this afternoon was the largest and space for a Wyoming exhibit at the coming exposition, returned today. They report most indignantly enthusiastic assemblage having secured 840 square feet of space in ever known in this state, the doubtful republican members of the legislature did not see the main buildings in an advantageous location. They were unable to secure free space it or feel it. They were closely and liberally in the mining building, the present arrange- enterthined by the opposition at the Great Southern hotel during the afternoon, and ment contemplating a charge of \$1 per square foot for space. The committee did they are there tonight. Representatives not enter into any arrangement for space in Minuel, Griffith, Spider and others are havthis building, but arranged to reserve the ing the undivided and constant attention of space for one week until those in charge of the other side. the matter of raising state funds for the

There are at times lively scenes when Homna workers invade the rooms of the oppomittee was greatly pleased with the appear- sition at the Great Southern hotel, and also ance of the buildings in course of erection when the hustlers for the opposition come to and with the progress which has been made the Neil house after some of the doubtful members or their freinds. There is tonight doubt also about the final vote of some of those on which both sides have been depending. The result really hangs in doubt more then in a balance.

> With the result pending on one vote either way, there are several who want to be on the winning side and may at any time change according to their belief on to which side has the necessary geventy-three votes, or for some other cause. Owing to the apparent closeness of the vote there are still numerous rumors of bribery for another vote each

> It is noted by some of the more conservative observers that as soon as no further changes were announced such day that the ecotending factions alternated in daily reports of bribery. The Hanna men say they have stenographic notes of an offer of \$5,000 by two prominent members of the opposition. The opposition in turn assert that S. D. Hollenbeck, a member of the republican state executive committee, went to Cincinnati last Saturday with \$10,000 to secure the wife of

> Representative Otis. Representative Otis is a republican, who was elected on a fusion ticket in Hamilton county. He has voted with democrats in the organization, but it is said he made friendly overtures to Hanna workers to entrap them into an offer for the purpose of exposing the same, and that he will do so on the floor of the house tomorrow. It is said that he will pile \$10,000 on his desk and make a rengational speech when his name is colled on the senatorial ballot,

> The Hanna men make a general denial of the Otis charges and say they anticipate other dramatic performances tomorrow before the balloting begins.

GROSVENOR'S CURT REPLY. Congressman Grosvenor, who made a most

vigorous speech at the mass meeting today and has been here for Hanna for over a week, has written a peculiar letter.

A convict in the Ohio penitentiary, James H. Wiggins, serving a twenty-year term, has been endeavoring to get out. He had correspondence with Grosvenor, whom he desired to employ professionally. In this morning's mail a letter was received for Wiggins from Grosvenor, a Letters to convicts are opened and read and when the one from Grosvenor was received it was turned over to Warden Coffin. The letter was written on a letterhead of the committee on mines and mining, of which Grosenor is chairman, and bore the date of January 8, 1898. It is as follows:

timore,
At Antwerp-Arrived-Kensington, from
New York.
At New York-Arrived-La Gascogne, from
Havre; Furnessia, from Glasgow.
At Southampton-Arrived-Kaiser Wilhelm der Grosse, from New York.
At Rotterdam - Arrived - Obdam, from
New York, Salied-Amsterdam, for New
York,
At Lizard-Passed-Palatia, from New James H. Wiggins, Ohlo Penitentiary Lizard-Passed-Palatia, from New Columbus, O.: Dear Sir-I will not under

Found Dead in His Barn YOUNGSTOWN, O., Jan. 10,-David O. Hall of Hubbard, an tron manufacturer his barn yesterday evening. His body was hanging over a manger when discovered, He was 55 years old. Heart disease is thought to have caused his death,